

REMARKS

Reconsideration and allowance are respectfully requested. Claims 1-3 and 5-18 are pending. Claims 1-3 and 5-18 stand rejected.

§103 Rejection

Claims 1-3 and 5-18 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,046,434 to Breezer (Breezer) in view of Japanese Patent No. 2001-270,525 to Ishizuka Glass (Glass).

The Examiner concedes that Breezer does not disclose the projection (A') as not being continuous about the periphery of the deck but argues that it would be obvious to modify the pallet of Breezer by replacing the projection with one as taught by Glass. Applicant respectfully disagrees.

Breezer discloses a load-bearing member (22), which is formed from two separate sheets, an upper sheet (24) and a lower sheet (26), of thermoplastic material (Figures 5 and 6). The projection (A'), as referenced by the Examiner, is a peripheral lip (28) that is formed by the edges of the upper sheet (24) and the lower sheet (26) of thermoplastic material when they are joined together around a periphery of the load-bearing member (22) (col. 3, lines 5-10). The peripheral lip (28) must be continuous about the periphery of the load-bearing member (22) to effectuate joining the upper sheet (24) and the lower sheet (26) together to form the load-bearing member (22) of Breezer. Replacing the peripheral lip (28) of Breezer with the projection taught by Glass, as suggested by the Examiner, would defeat the purpose of the peripheral lip (28), i.e. to join the upper sheet (24) to the lower sheet (26) to form the load-bearing member (22) of Breezer. As such, the claimed invention is allowable over Breezer in view of Glass and withdrawal of the rejection is respectfully requested.

Applicant believes that no fees are necessary, however, the Commissioner is authorized to charge Deposit Account No. 50-1984 for any additional fees or credit the account for any overpayment.

Respectfully submitted,

/John E. Carlson/

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